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**Commonwealth of Virginia**

**RESPONSE TO PETITION FOR RULEMAKING**

Check one: ☐ Initial Agency Notice ☒ Agency Decision

**Regulatory Coordinator:** Elaine J. Yeatts

**Telephone:** (804) 662-9918

**E-mail:** elaine.yeatts@dhp.virginia.gov

**Agency Name:** Board of Dentistry, Department of Health Professions

**Chapters affected:**

VAC No. (e.g., 4 VAC 20-490):	Chapter Name (e.g., Regulations Pertaining to Sharks):
18 VAC 60-20	Regulations Governing the Practice of Dentistry and Dental Hygiene

**Statutory Authority:** Sections 54.1-2400 and 54.1-2706 of the Code of Virginia

**Name of petitioner:** Linda Cifelli

**Nature of petitioner's request:** To amend regulations on false and misleading advertisement to allow dentists to advertise that they do not use mercury in fillings and do use an amalgam separator or rubber dam in their practice.

**INITIAL AGENCY NOTICE**

**Agency's plan for disposition of the request:** The Board is requesting public comment on the petition and will consider the request for an amendment at its meeting on June 9, 2006.

**Comments may be submitted until** May 22, 2006

**AGENCY DECISION**

☐ Request Granted

☒ Request Denied

**Statement of reasons for decision:** Current regulations do not prohibit a dentist from advertising that he does not use mercury in fillings or that he uses an amalgam separator. The law prohibits advertisements that are false, deceptive or misleading or contain a claim of superiority. Therefore, no amendment to regulation is necessary.

**Agency Contact for Further Information:**

**Name:** Elaine J. Yeatts

**Title:** Agency Regulatory Coordinator

**Address:** 6603 W. Broad Street, 5<sup>th</sup> floor, Richmond, VA 23230

**Telephone:** (804) 662-9918

**Fax:** (804) 662-9114

**Toll Free:** 1- -

**E-mail:** elaine.yeatts@dhp.virginia.gov

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